

**IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**UNITED STATES OF AMERICA**

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**v.**

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**CRIMINAL NO. 07-00410**

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**ARISTEDES VICTOR BALBUENA**

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**FINAL JUDGMENT OF FORFEITURE**

WHEREAS, on November 18, 2008, this Court entered an Amended Preliminary Order of Forfeiture (Doc. 44), ordering defendant Balbuena's interest forfeited in:

- (1) The real property, including all improvements and appurtenances thereto, located at: Lot 45, Monarch Subdivision, First addition, according to a plat thereof recorded in map Book 60, page 81 of the records in the Office of the Judge of Probate, Mobile County, Alabama.
- (2) The following seized funds: \$15,062.79, seized from an account in Balbuena's name at Regions Bank, Mobile Alabama; and \$8,879.03 seized from an account in Balbuena's name at Regions Bank, Mobile, Alabama; and

WHEREAS, the United States caused to be published on an official government site ([www.forfeiture.gov](http://www.forfeiture.gov)) for 30 days beginning December 9, 2008 and ending January 7, 2009, notice of the forfeiture of the seized assets (Doc.53 and 54) and of the intent of the United States to dispose of the assets in accordance with the law and as specified in the Amended Preliminary Order of Forfeiture, and further notifying all third parties of their right to petition the Court within thirty (30) days for a hearing to adjudicate the validity of their alleged legal interest in the assets; and

WHEREAS, no third-parties have come forward to assert an interest in the assets in the time required under Title 21, United States Code, Section 853(n)(2); and

WHEREAS, the Court finds that the defendant Balbuena had an interest in the assets that are subject to forfeiture pursuant to Title 21, United States Code, Sections 846, 841(a)(1) and 853;

NOW, THEREFORE, the Court having considered the matter and been fully advised in the premises, it is hereby ORDERED, ADJUDGED, and DECREED that, pursuant to Title 21, United States Code, Sections 846, 841(a)(1) and 853, the

(1) The real property, including all improvements and appurtenances thereto, located at: Lot 45, Monarch Subdivision, First addition, according to a plat thereof recorded in map Book 60, page 81 of the records in the Office of the Judge of Probate, Mobile County, Alabama.

(2) The following seized funds: \$15,062.79, seized from an account in Balbuena's name at Regions Bank, Mobile Alabama; and \$8,879.03 seized from an account in Balbuena's name at Regions Bank, Mobile, Alabama;

are forfeited to the United States of America;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all right, title and interest to the assets described above is hereby condemned, forfeited and vested in the United States of America and shall be disposed of according to law; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that based upon the amount of drug proceeds received by defendant Balbuena, a money judgment in the amount of \$100,000.00 is entered against defendant Balbuena. And further, that the \$15,062.79 and the

\$8,879.03 referenced above shall be applied toward that money judgment.

IT IS FURTHER ORDERED that the United States District Court shall retain jurisdiction in the case for the purpose of enforcing this Order; and

IT IS FURTHER ORDERED that the Clerk of the Court shall forward five certified copies of this Order to Assistant United States Attorney Deborah A. Griffin.

DONE this the 13<sup>th</sup> day of February, 2009.

/s/ Kristi K. DuBose

**KRISTI K. DUBOSE**

**UNITED STATES DISTRICT JUDGE**